

APPENDIX H

UNITED STATES DISTRICT COURT
EASTERN DISTRICT

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ROSS UNIVERSITY MEDICAL SCHOOL

Plaintiff,

Index No. 09CV01410

-against-

BROOKLYN-QUEENS HEALTH CARE AND
WYCKOFF HEIGHTS MEDICAL CENTER,

Defendants.

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374 Stockholm Street
Brooklyn, New York 11237

June 24, 2011
10:00 a.m.

EXAMINATION BEFORE TRIAL
of RAJIV GARG, a Defendant, by
George J. Tzanetopoulos, pursuant
to Article 31 of the Civil Practice
Law & Rules of Testimony, and
Notice, held at the above-mentioned
time and place, before Paul
Goldstein, a shorthand reporter and
Notary Public of the State of New
York.

1 the effort to acquire information in
2 discovery in this case.

3 Who was asked to gather information
4 to respond to the Plaintiff's discovery
5 requests?

6 A. I would presume David Hoffman.

7 Q. Other than stating Mr. Hoffman, do
8 you know anything else about information
9 collection in this case?

10 A. Not particularly, no.

11 Q. All right. Let's skip up to the very
12 top, Number 1, which is the decision by BQHC
13 and Wyckoff Heights Medical Center not to
14 provide replacement clerkships to Ross
15 University, after the hospitals closed.

16 Who made that decision?

17 A. I guess the answer is going to be two
18 or three-pronged.

19 First of all, BQHC does not enter
20 into the discussion regarding providing
21 clerkships.

22 Second answer is, Wyckoff Heights
23 Medical Center, and its decision not to
24 provide clerkships, was a function of two
25

1 pieces.

2 One is capacity to take in people --
3 and Wyckoff Heights Medical Center has no
4 obligation to provide those clerkships.

5 **Q. My question was a little simpler.**

6 **Who made the decision?**

7 A. The decision is finally made by me.

8 **Q. Before you decided not to provide**
9 **replacement clerkships to Ross, after the**
10 **hospitals closed, did you review the contract**
11 **documents with Ross?**

12 MR. LOUGHLIN: Objection. Now you're
13 treading on attorney-client privilege.

14 MR. TZANETOPOULOS: It doesn't at
15 all. I asked him if he reviewed the
16 contracts. I didn't ask him for what his
17 lawyers said to him or what he said to his
18 lawyers.

19 MR. LOUGHLIN: You can answer. I
20 assume, what you mean is the affiliation
21 agreement and...

22 MR. TZANETOPOULOS: Its amendments.

23 A. I might have looked at them, yes.

24 **Q. Do you know one way or the other,**
25